

PROCEEDINGS OF THE COMMON COUNCIL  
IN SPECIAL SESSION  
THURSDAY \_\_\_\_\_, JANUARY 1 \_\_\_\_\_, 19 76

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers  
Thursday \_\_\_\_\_ evening January 1 \_\_\_\_\_ A.D., 19 76, in Special  
Session. President James S. Stier \_\_\_\_\_ in the chair, and  
Charles W. Westerman \_\_\_\_\_ Clerk, at the desk, present the following  
members \_\_\_\_\_ viz:  
Burns ✓ \_\_\_\_\_, Hinga ✓ \_\_\_\_\_, Hunter A \_\_\_\_\_  
Moses ✓ \_\_\_\_\_, Nuckols ✓ \_\_\_\_\_, Donald Schmidt ✓ \_\_\_\_\_  
Vivian Schmidt ✓ \_\_\_\_\_, Stier ✓ \_\_\_\_\_, Talarico ✓ \_\_\_\_\_  
Absent 8/1 \_\_\_\_\_  
Councilmen \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

The invocation was given by \_\_\_\_\_

Received report from the City Controller for the month of \_\_\_\_\_,  
19 \_\_\_\_\_. Motion made and carried that report be made a matter of record and  
placed on file.

The minutes of the last regular \_\_\_\_\_, 19 \_\_\_\_\_,  
special \_\_\_\_\_, 19 \_\_\_\_\_,

Session having been delivered to the Council, were, on motion, approved and  
published.

December 31, 1975

To: Charles W. Westerman, City Clerk

Please be notified that you are directed to notify all members of this Common Council of a Special Meeting thereof on January 1, 1976, at 7:00P.M., E.S.T. for the purposes set forth in attached copy of notice.

William I. Angus

Lillian L. Delwood

John Buckels

James S. Stein

Samuel J. Talarico

W. Lee C. Myers Jr.

DATE 1-1-76 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL  
MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA, TO BE HELD THURSDAY, JANUARY 1, 1976,  
AT 7:00 O'CLOCK P.M., E.S.T.

We, the undersigned, being 5 or more members of the Common Council of the City of Fort Wayne, Indiana, do hereby call a special meeting of said Council to be held on Thursday, January 1, 1976, at 7:00 o'clock P.M., E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose of considering and or adopting a resolution requesting the Mayor to provide names of persons whose employment he proposes to terminate on or after January 1, 1976, and names of persons proposing to replace above persons and detailed statement of reasons for proposed action and to authorize investigation and review therefore pursuant to law, and directing retention of employees.

Vivian L. Schmidt

James Stier

Samuel J. Tetanis

John A. Kelly

Richard L. Upmeyer

William T. Hingwa

Dated this 1st day January, 1976.

Charles W. Westerman  
Charles W. Westerman  
City Clerk



FORT WAYNE, INDIANA 46802

office of the mayor

*Advance up fed  
while - 1-13-76 -*

VETO MESSAGE

I, Robert E. Armstrong, Mayor of the City of Fort Wayne, hereby veto Resolution R-01-76 for the following reasons:

The Resolution asserts that the City Administration will conduct itself contrary to State law, and is, therefore, incorrect.

The proposed Resolution was distributed to some members of the City Council at the inauguration ceremony January 1, 1976 - prior in time to any official act by the new Administration. Indeed, at a specially-called meeting that night, January 1, 1976, the Resolution was passed. This I believe to be an act of bad faith toward an administration that had not taken a single official act other than being sworn into office.

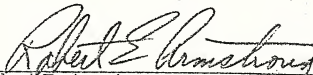
The Resolution calls for sending names of those persons from the prior Administration not being retained by the new Administration. As you know by now, once the official termination took place, the communication of such action from me to the Council was submitted. I note with interest that my City Attorney had advised me that such a communication was required by State law and, in fact, the letter had been prepared to the Common Council and was merely awaiting the official transaction. Since obviously I could not replace the old Administration prior to my becoming Mayor, I could not officially communicate any such actions with the Common Council. Apparently, some previous Mayors had not followed the procedure of notifying the Common Council of the replacement, although at all times it has been my intention to do so, and I have in fact done so.

AN EQUAL OPPORTUNITY EMPLOYER



Your request that the City Comptroller and the Payroll Department maintain all former Administration officials on the city payroll is denied. The idea of keeping people on the city payroll from a former Administration for services that will not be performed is an idea that is repugnant to me and I believe to the citizens of the City of Fort Wayne.

Signed this 9th day of January, 1976.

A handwritten signature in cursive script, reading "Robert E. Armstrong", written over a horizontal line.

Robert E. Armstrong  
Mayor

Q-01-76-

Given to the  
Mayor's Office  
on - January 2, 1976.

Robert L. Hinchey  
R L H

1 BILL NO. R-76-01-01

2 RESOLUTION R-01-76

3 WHEREAS, Special Ordinance No. S/ 275-75 adopted,  
4 ratifies and confirms and approves certain contracts between  
5 the City of Fort Wayne and or City Utilities and the labor  
6 organizations named in said ordinance; and

7 WHEREAS, such contracts contain procedures for discipline  
8 and discharge of employees covered thereby and prescribe stated  
9 grounds for discipline and discharge; and

10 WHEREAS, numerous employees covered by the contracts  
11 enumerated in Special Ordinance No. S 275-75, are threatened  
12 with discharge, contrary to the provisions of the respective  
13 contracts, contrary to the provisions of State Law governing  
14 municipal employees; and

15 WHEREAS, the City of Fort Wayne will incur substantial  
16 financial liability if the discipline and discharges threatened  
17 in fact occur;

18 THEREFORE BE IT RESOLVED:

- 19 1. That the Common Council of the City of Fort Wayne requests  
20 from the Mayor the names of each person whose employment by the  
21 City of Fort Wayne he proposes to terminate on or after January  
22 1, 1976 and the names of each person whose employment the  
23 department head appointed by him proposes to terminate on or  
24 after January 1, 1976 along with a detailed statement of reasons  
25 for the proposed action.
- 26 2. That the Common Council will investigate and review each such  
27 proposed termination to determine whether it conforms to law.
- 28 3. That the Common Council, in the best interests of the  
29 financial welfare of the City of Fort Wayne, requests the City  
30 Controller and the payroll department to maintain all such  
31 persons on the City payroll until such time that the investiga-  
32 tion by the Common Council is completed.

33  
34  
35 APPROVED AS TO FORM

AND LEGALITY \_\_\_\_\_

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Special Session, held on Thursday the 1st day of January, 1976; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 2nd day of January, 1976.

  
Charles W. Westerman  
City Clerk

SEAL